



To the Honorable Council
City of Norfolk, Virginia

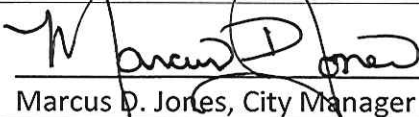
January 14, 2014

From: George M. Homewood, AICP, CFM, Acting
Planning Director

Subject: Special Exception to operate
an Automobile Sales and Service
facility at 6400 East Virginia Beach
Boulevard – Halabi One, LLC

Reviewed: Ronald H. Williams, Jr., Assistant City
Manager

Ward/Superward: 4/7

Approved: 
Marcus D. Jones, City Manager

Item Number: R-4

- I. **Recommendation:** Approval, subject to the attached conditions that are necessary to ensure increased compliance with *Zoning Ordinance* requirements.
- II. **Applicant:** Halabi One, LLC
6400 East Virginia Beach Boulevard
- III. **Description**
The request would allow Halabi One, LLC to operate a car dealership, subject to making required improvements to the site.
- IV. **Analysis**
 - The site is located on the north side of East Virginia Beach Boulevard along the southern edge of the Hollywood Homes/Maple Hall neighborhood.
 - This stretch of East Virginia Beach Boulevard is comprised predominately of automobile related commercial uses.

Plan Analysis

- The proposed Special Exception is consistent with *plaNorfolk2030*, which designates this site as Commercial.

Zoning Analysis

- The site is zoned C-2 (Corridor Commercial) which permits the use by Special Exception.
- The adjacent parcels are zoned C-2 and used as automobile related businesses.

	Proposed
Hours of Operation	9:00 a.m. until 8:00 p.m., Monday through Saturday 9:00 a.m. until 5:00 p.m., Sundays

- The attached conditions bring the site more into compliance with *Zoning Ordinance* and *plaNorfolk2030* requirements.

Traffic Analysis

- The Institute of Transportation Engineers estimates that this development will generate 75 vehicle trips per day.

V. Financial Impact

The applicant is current on all real estate taxes.

VI. Environmental

- The property is located on East Virginia Beach Boulevard in an area that is comprised predominately with automobile related businesses.
- The following conditions will bring the site more into compliance with the *Zoning Ordinance*:
 - The curb cut located along the northern line of East Virginia Beach Boulevard closest to the eastern line of George Street, shall be closed and landscaped.
 - Landscaping shall be installed and maintained in accordance with the conceptual site plan.
 - The existing freestanding sign shall be modified so as to reduce the height to a maximum of 12 feet from grade.
 - No automobile associated with this facility shall be parked in any public right-of way.
- The site is located in a commercial corridor and the use should have little adverse impact on the surrounding uses, if site improvements are made.

VII. Community Outreach/Notification

- Legal notice was posted on the property on November 12.
- Letters were sent to the Hollywood Homes/Maple Hall Civic League on November 21.
- Letters were mailed to all property owners within 300 feet of the property on December 5.
- Notice was sent to the civic leagues by the Department of Communications on December 5.
- Legal notification was placed in *The Virginian-Pilot* on December 5 and 12.
- The Planning Commission Public Hearing was held on December 19, 2013.
- Public notification was conducted through the City of Norfolk's agenda notification process.

VIII. Board/Commission Action

By a vote of **7 to 0**, the Planning Commission recommended that the request for Special Exception be **approved**, subject to the conditions outlined in the attached ordinance.

IX. Coordination/Outreach

This report has been coordinated with the Department of Planning and Community Development, Recreation, Parks and Open Space, and the City Attorney's Office.

Supporting Material from the Department of Planning and Community Development:

- Proponents and Opponents
- Ordinance
- Location Map
- Zoning Map
- Application
- Conceptual Site Plan
- Letter to the Civic League

Proponents and Opponents

Proponents

Anita Poston – representative
500 World Trade Center
Norfolk, VA 23510

Tim Boykin – representative
500 World Trade Center
Norfolk, VA 23510

Opponents

None

Form and Correctness Approved:

WR

Contents Approved:

M. S.

By

Edmund M. Smith

Office of the City Attorney

By

[Signature]

DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO OPERATE AN AUTOMOBILE SALES AND SERVICE ESTABLISHMENT ON PROPERTY LOCATED AT 6400 EAST VIRGINIA BEACH BOULEVARD.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to permit the operation of an Automobile Sales and Service establishment on property located at 6400 East Virginia Beach Boulevard. The property which is the subject of this Special Exception is more fully described as follows:

Property located on the northeast corner of East Virginia Beach Boulevard and George Street fronting 150 feet, more or less, along the northern line of East Virginia Beach Boulevard and 150 feet, more or less, along the eastern line of George Street; premises numbered 6400 East Virginia Beach Boulevard.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation for the facility shall be from 9:00 a.m. until 8:00 p.m., Monday through Saturday, and from 9:00 a.m. until 5:00 p.m. on Sunday. No use of the facility outside of the hours of operation listed herein shall be permitted.
- (b) The site shall be developed in accordance with the conceptual site plan prepared by "John E. Sirine and Associates, Ltd.," dated October 22, 2013, revised November 7, 2013, attached hereto and marked as "Exhibit A".
- (c) The curb cut located along the northern line of

East Virginia Beach Boulevard closest to the eastern line of George Street, shall be closed and landscaped, as shown on the conceptual site plan attached at "Exhibit A".

- (d) The parking lot shall be improved and striped and landscaping shall be installed in accordance with the conceptual site plan attached at "Exhibit A". The landscaping shall be maintained at all times.
- (e) There shall be no razor wire permitted on the site and any existing razor wire shall be removed.
- (f) All bollards on the site shall be painted and maintained free of visible corrosion.
- (g) On-site lighting shall be directed and shielded so as not to cast glare into any nearby residential properties.
- (h) The existing freestanding sign shall reduce to a maximum height of 12 feet from grade.
- (i) Landscaping shall be installed at the base of the freestanding sign in accordance with the provisions of section 16-6 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended). The landscaping shall be maintained at all times.
- (j) No parking of any vehicles used for storage, display, or offered for sale or resale shall be permitted anywhere on the property other than in those areas identified as "display area" on the conceptual site plan attached at "Exhibit A".
- (k) No automobile associated with this facility shall be parked or displayed in any public right-of-way, on any unimproved surface, or within the sight distance triangle at the southwest corner of the property.
- (l) There shall be no signage, flags or banners visible from any public right-of-way affixed to the automobiles being displayed for sale.

- (m) There shall be no storage of wrecked or inoperative vehicles in any building or on the property without a work order or an insurance claim form.
- (n) All repair work shall be done inside the building. No work may take place outside.
- (o) No public telephone(s) shall be permitted on the exterior of the property.
- (p) The property shall be kept in a clean and sanitary condition at all times.
- (q) There shall be no storage or display of tires outside the building.
- (r) The facility shall maintain a current, active business license at all times while in operation.
- (s) At all times, all temporary window signage must comply with the applicable regulations of Chapter 16 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Signs."
- (t) No business license shall be issued for any business on the property until conditions (b), (c), (d), (e), (f), (h) and (i), above, have been complied with in their entirety.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;

- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and

- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

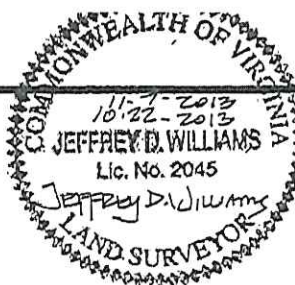
ATTACHMENT:

Exhibit A (1 page)

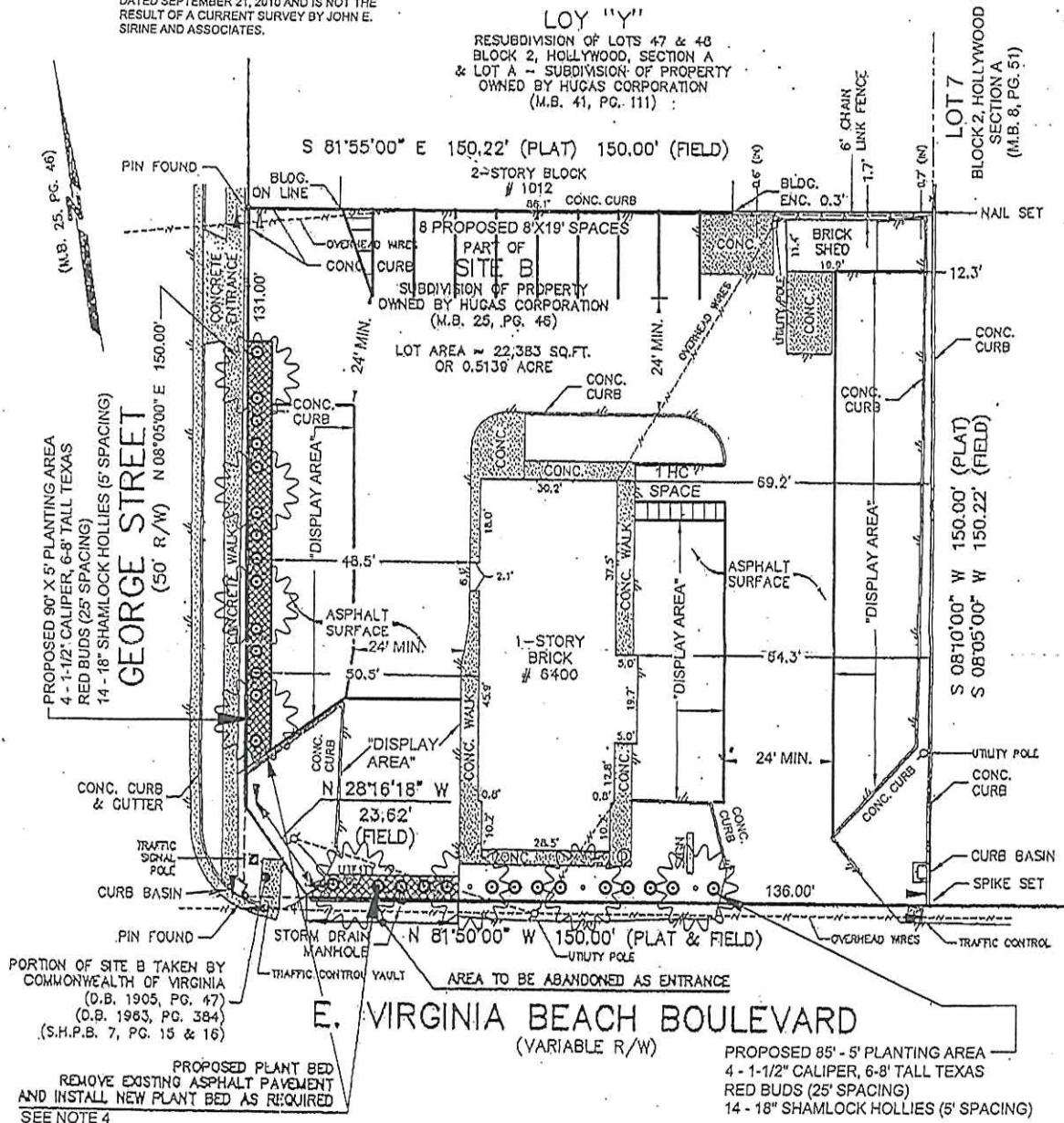
NOTES

1. PROPERTY APPEARS TO FALL WITHIN ZONE X (UNSHADED) (AREA DETERMINED TO BE OUTSIDE 0.2% ANNUAL CHANCE FLOODPLAIN), AS SHOWN ON NATIONAL FLOOD INSURANCE PROGRAM MAP FOR THE CITY OF NORFOLK DATED SEPT. 2, 2009. MAP NUMBER 6101040155F.
2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY OR MAY NOT SHOW ALL MATTERS OF TITLE AFFECTING PROPERTY SHOWN HEREON.
3. THIS SITE PLAN IS BASED ON PHYSICAL SURVEY PREPARED BY ROOD LAND SURVEYING, P.C. DATED SEPTEMBER 21, 2010 AND IS NOT THE RESULT OF A CURRENT SURVEY BY JOHN E. SIRINE AND ASSOCIATES.

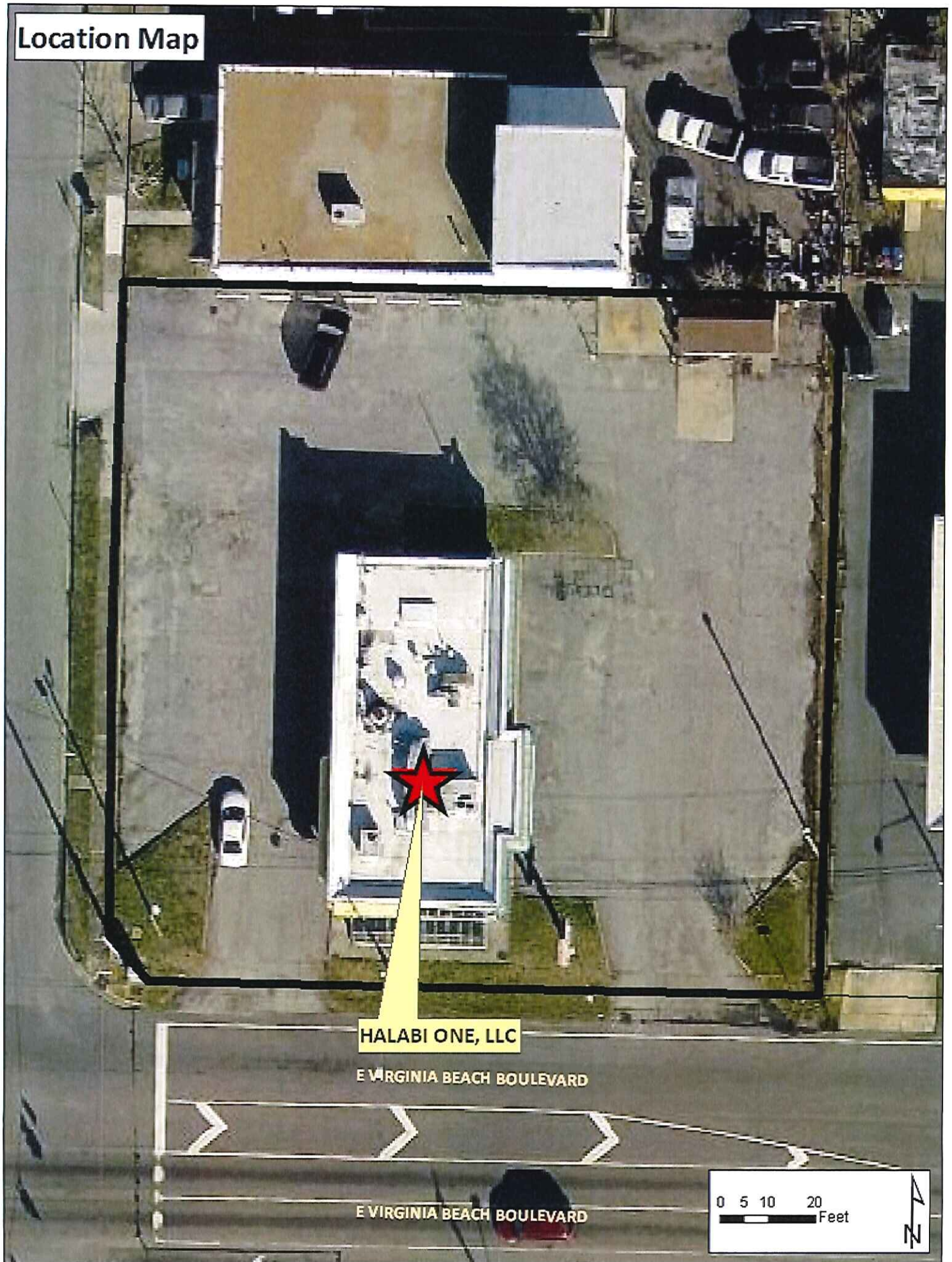
4. WHERE PROPOSED PLANTING AREAS ARE TO BE INSTALLED OVER EXISTING ASPHALT AREAS, SAWCUT ASPHALT AND REMOVE THE EXISTING SOIL UNDER THE PAVEMENT 18" X 24" DOWN AND REPLACE WITH TOPSOIL.
5. PARKING REQUIREMENT:
6 CUSTOMER PARKING SPACES
3 EMPLOYEE PARKING SPACES
9 TOTAL PARKING SPACES
1 HANDICAPPED SPACE (HC)
8 REGULAR PARKING SPACES



LOY "Y"
RESUBDIVISION OF LOTS 47 & 48
BLOCK 2, HOLLYWOOD, SECTION A
& LOT A - SUBDIVISION OF PROPERTY
OWNED BY HUGAS CORPORATION
(M.B. 41, PG. 111)



Location Map



HALABI ONE, LLC

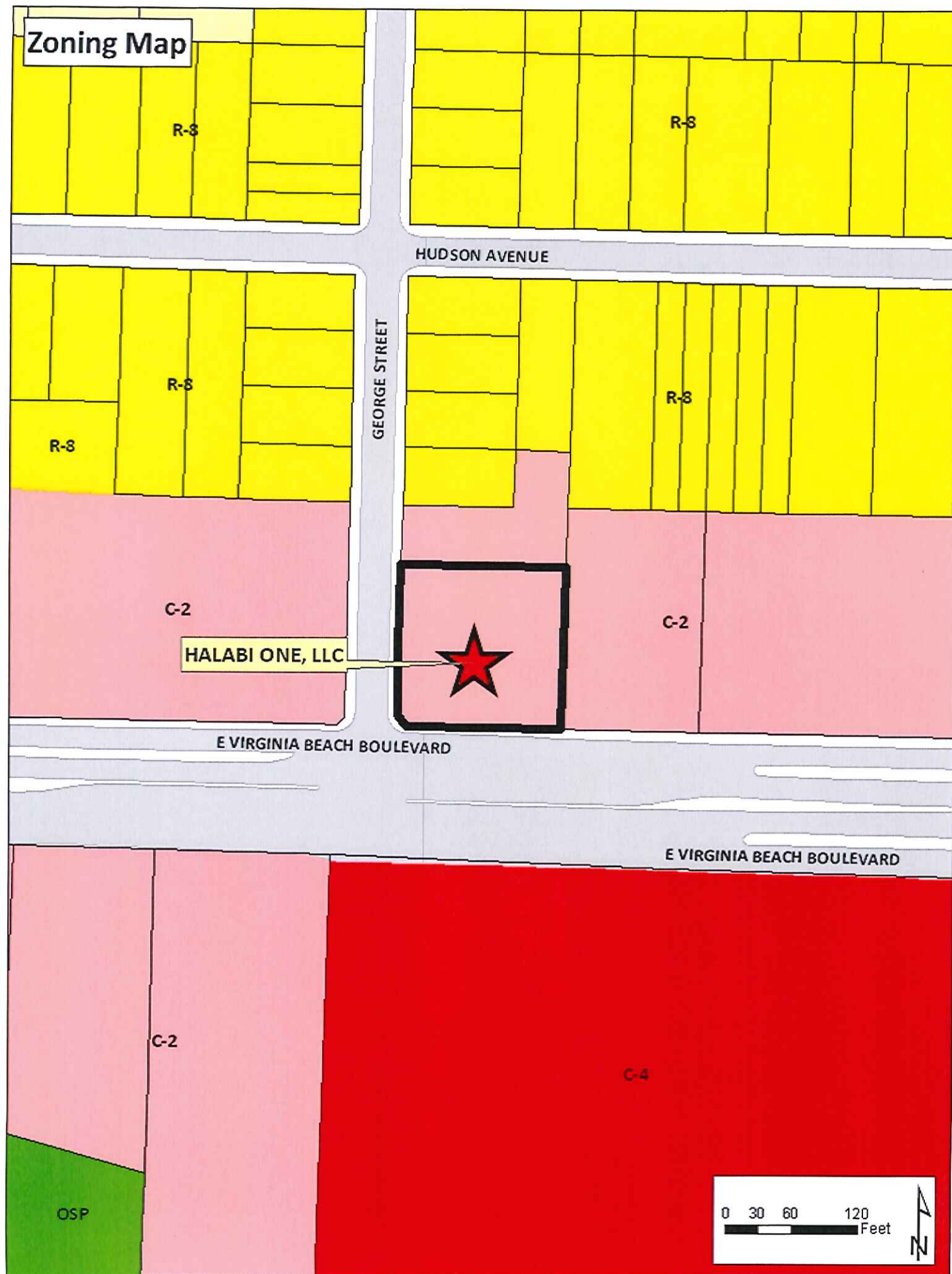
E VIRGINIA BEACH BOULEVARD

E VIRGINIA BEACH BOULEVARD

0 5 10 20
Feet



Zoning Map





**APPLICATION
SPECIAL EXCEPTION**

Special Exception for: AUTOMOBILE SALES & SERVICE

Date of application: OCT 23, 2013

DESCRIPTION OF PROPERTY

Property location: (Street Number) 6400 (Street Name) E. VIRGINA BEACH Blvd.

Existing Use of Property VACANT

Current Building Square Footage 2242

Proposed Use CAR DEALERSHIP

Proposed Square Footage _____

Proposed Hours of Operation:

Weekday From 9:00 AM To 8:00 PM

Friday From 9:00 AM To 8:00 PM

Saturday From 9:00 AM To 8:00 PM

Sunday From 9:00 AM To 5:00 PM

Trade Name of Business (If applicable) _____

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised July, 2013)

APPLICANT/ PROPERTY OWNER

1. Name of applicant: (Last) _____ (First) _____ (MI) _____

Mailing address of applicant (Street/P.O. Box): 1829 REIN LN

(City) VABEACH (State) VA (Zip Code) 23456

Daytime telephone number of applicant (757) 515 9046 ^{CELL} Fax number (757) 644-4495

E-mail address of applicant: HALABI001@HOTMAIL.COM

2. Name of property owner: (Last) SAME (First) _____ (MI) _____

Mailing address of property owner (Street/P.O. box): _____

(City) _____ (State) _____ (Zip Code) _____

Daytime telephone number of owner () _____ Fax number () _____

CIVIC LEAGUE INFORMATION

Civic League contact: HOLLYWOOD HOMES

Date(s) contacted: Oct 21, 2013

Ward/Super Ward information: _____

REQUIRED ATTACHMENTS:

- ✓ Required application fee, **\$355.00** (if check, make payable to Norfolk City Treasurer).
 - Application fee includes a non-refundable \$5 technology surcharge.
- ✓ Two 8½ x 14 inch copies of a survey or site plan drawn to scale showing:
 - Existing and proposed building structures
 - Driveways
 - Parking,
 - Landscaping
 - Property lines (*see attached example).

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(Revised July, 2013)

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: SAM HALABI Sign: [Signature] / Oct 23, 13 /
(Property Owner or Authorized Agent Signature) (Date)
HALABI ONE LLC, MANAGER

Print name: _____ Sign: _____ / _____ /
(Applicant or Authorized Agent Signature) (Date)

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508

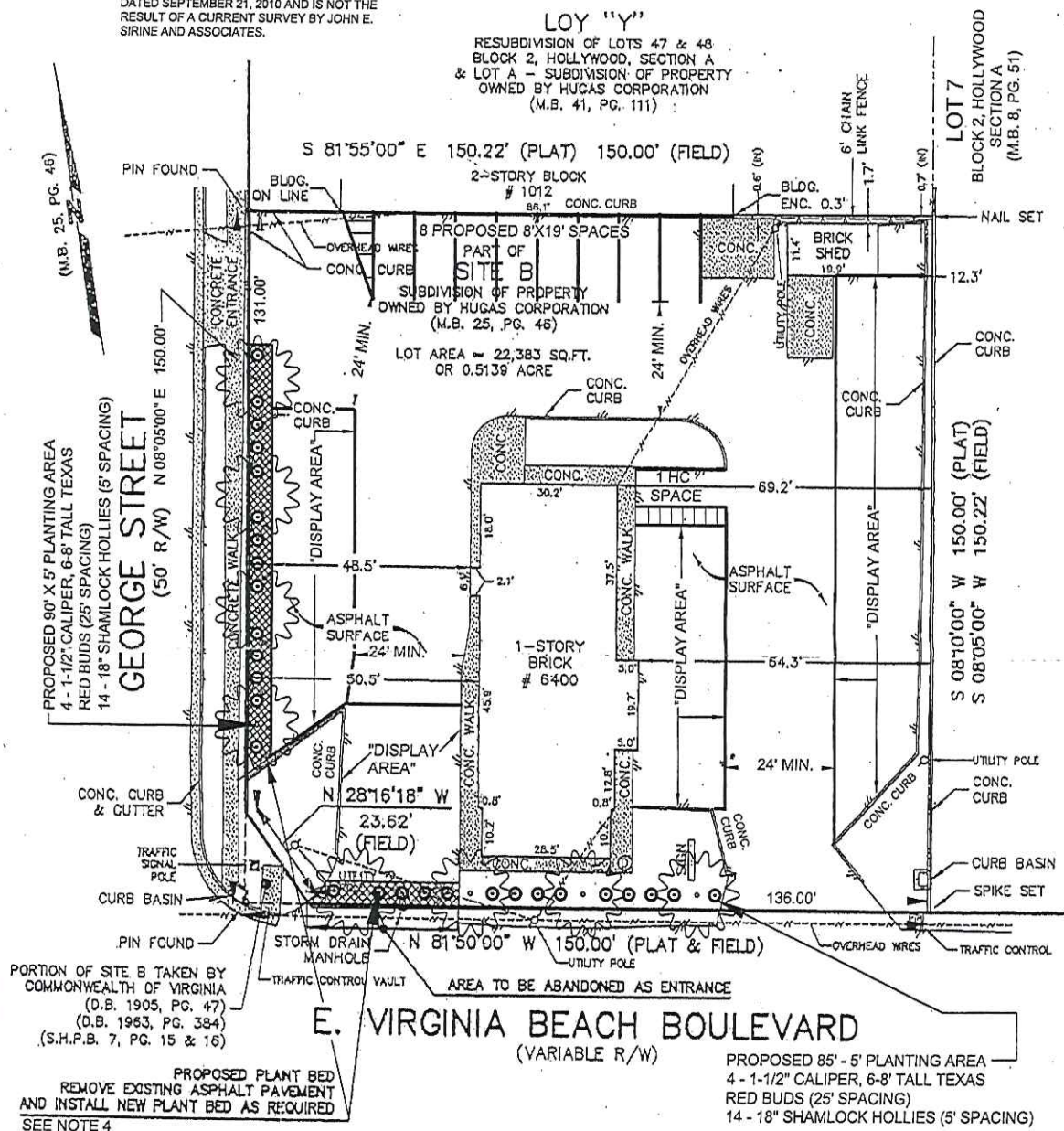
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 - 8 REGULAR PARKING SPACES



CONCEPTUAL SITE PLAN
OF
PART OF SITE B, SUBDIVISION OF PROPERTY OWNED
BY HUGAS CORPORATION
FOR (M. B. 25, P. 46)
HALABI ONE, LLC
NORFOLK, VIRGINIA

OCTOBER 22, 2013

JOHN E. SIRINE AND ASSOCIATES, LTD.

SURVEYORS • ENGINEERS • PLANNERS
VIRGINIA BEACH, VIRGINIA

REVISD: NOV. 7, 2013-CITY COMMENTS

5960



November 21, 2013

Bruce Erie
President, Hollywood Homes/Maple Hall
6323 Adair Avenue
Norfolk, VA 23502

Dear Mr. Erie:

The Planning Department has received an application for a Special Exception to operate an Automobile Sales and Service facility on property located at 6400 East Virginia Beach Boulevard. This item is tentatively scheduled for the December 19, 2013 City Planning Commission public hearing.

Summary

This request would allow Halabi One, LLC to operate a car dealership, subject to making required improvements to the site.

	Proposed
Hours of Operation	9:00 a.m. until 8:00 p.m., Monday through Saturday 9:00 a.m. until 5:00 p.m., Sundays

If you would like additional information on the request, you may contact the applicant, Sam Halabi, at (757) 644-4495 or you may telephone Matthew Simons at (757) 664-4750. A copy of the complete application is enclosed.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Homewood", with a long horizontal line extending to the right.

George M. Homewood, AICP, CFM
Acting Planning Director

cc: Oneiceia Howard, Senior Neighborhood Development Specialist
Oneiceia.Howard@norfolk.gov or (757) 664-6761